

House, reported to the House that the Committee desired to rise, report progress and ask leave of the House to sit again at 9 o'clock a. m. next Monday.

The Committee reported the following proceedings:

The Chair laid before the Committee, for consideration of the Committee, House bill No. 25, relative to conservation of oil, with corrective amendments recommended by the subcommittee.

The Committee, by unanimous consent, adopted the amendments.

(Signed) FRED H. MINOR,
Chairman of the Committee of the
Whole House.

LEAVE OF ABSENCE GRANTED.

Mr. McDougald was granted leave of absence for the past two weeks on account of illness, on motion of Mr. Minor.

ADJOURNMENT.

On motion of Mr. Farrar, the House, at 12 o'clock m., adjourned until 9 o'clock a. m. next Monday.

APPENDIX.

STANDING COMMITTEE REPORT.

The Committee on Agriculture filed a favorable report on House bill No. 28.

ELEVENTH DAY.

(Monday, August 3, 1931.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called and the following members were present:

Mr. Speaker.	Bedford.
Adams of Harris.	Bond.
Adams of Jasper.	Bounds.
Adamson.	Boyd.
Adkins.	Brice.
Akin.	Bryant.
Albritton.	Burns of Walker.
Alsup.	Burns
Anderson.	of McCulloch.
Baker.	Carpenter.
Barron.	Caven.
Beck.	Claunch.

Coltrin.	Lemens.
Cox of Lamar.	Leonard.
Cox of Limestone.	Lilley.
Dale.	Lockhart.
Daniel.	Long.
Davis.	McCombs.
DeWolfe.	McDougald.
Dodd.	McGill.
Donnell.	McGregor.
Dowell.	Magee.
Elliott.	Mathis.
Englehard.	Metcalfe.
Farmer.	Moffett.
Farrar.	Morse.
Ferguson.	Murphy.
Fisher.	Nicholson.
Forbes.	Olsen.
Ford.	O'Quinn.
Fuchs.	Patterson.
Gilbert.	Petsch.
Giles.	Ramsey.
Goodman.	Ratliff.
Graves.	Ray.
Greathouse.	Reader.
Grogan.	Richardson.
Hanson.	Rogers.
Hardy.	Rountree.
Harman.	Sanders.
Harrison	Satterwhite.
of El Paso.	Savage.
Harrison	Scott.
of Waller.	Shelton.
Hatchitt.	Sherrill.
Herzik.	Smith of Bastrop.
Hill.	Smith of Wood.
Hines.	Sparkman.
Holder.	Stephens.
Holland.	Stevenson.
Holloway.	Steward.
Hoskins.	Strong.
Howsley.	Sullivant.
Hubbard.	Tarwater.
Hughes.	Terrell
Jackson.	of Cherokee.
Johnson	Terrell
of Dallam.	of Val Verde.
Johnson	Towery.
of Dimmit.	Turner.
Johnson of Morris.	Van Zandt.
Jones of Shelby.	Veatch.
Jones of Atascosa.	Wagstaff.
Justiss.	Walker.
Kayton.	Weinert.
Keller.	West of Coryell.
Kennedy.	West of Cameron.
Laird.	Wiggs.
Lasseter.	Wyatt.
Lee.	Young.
	Absent.
Duvall.	Munson.
Finn.	Pope.
Hefley.	Westbrook.
Martin.	
	Absent—Excused.
Bradley.	Brooks.

Coombes.	Mehl.
Cunningham.	Moore.
Dunlap.	Vaughan.
Dwyer.	Warwick.

A quorum was announced present.
Prayer was offered by the Rev.
John W. Holt, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Cunningham for today, on motion of Mr. Jones of Shelby.

Mr. Warwick for today, on motion of Mr. Tarwater.

Mr. Vaughan for today and tomorrow, on motion of Mr. Ford.

Mr. Brooks for today and tomorrow, on motion of Mr. Holloway.

Mr. Coombes for today, on motion of Mr. Savage.

Mr. Dunlap for today, on motion of Mr. West of Cameron.

Mr. Patterson for today and tomorrow, on motion of Mr. Morse.

Mr. Dwyer for today, on motion of Mr. Hubbard.

The following members were granted leaves of absence on account of illness:

Mr. Mehl for today, on motion of Mr. Reader.

Mrs. Moore for today and the balance of the week, on motion of Mr. Farrar.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Burns of McCulloch, House bill No. 10 was ordered not printed.

On motion of Mr. Hubbard, House bill No. 30 was ordered not printed.

On motion of Mr. Kennedy, House bill No. 32 was ordered not printed.

On motion of Mr. Johnson of Morris, House bill No. 33 was ordered not printed.

On motion of Mr. Jones of Astascosa, House bill No. 37 was ordered not printed.

REQUESTING GOVERNOR TO SUBMIT CERTAIN SUBJECTS FOR LEGISLATION.

Mr. Terrell of Val Verde and Mr. Harrison of El Paso offered the following resolution:

Whereas, The amendment to Article 7065a, R. C. S., 1925, passed by the Regular Session of the Forty-second Legislature, is discriminatory, in that

it gives the refineries in Texas an advantage over brokers or commission men in the competing for the sale and delivery of gasoline consigned to destination without the State of Texas; and

Whereas, It is unfair, unjust and inequitable to place such refineries in a preferred status over commission men and brokers in competing for the same kind and class of business; and

Whereas, Such amendment, hereinbefore mentioned, levies a tax in some instances upon merchandise involved in interstate commerce, and also involved in commerce with foreign nations, although providing for refunds of taxes upon all gasoline shipped in interstate commerce or in commerce with a foreign nation; and

Whereas, Such amendment provides for an expensive and burdensome procedure for brokers and commission men, but not refineries, to secure the refund of such taxes paid; and

Whereas, It has been alleged that such amendment is unconstitutional, because it creates an undue burden upon interstate commerce and commerce with foreign nations, and further, because the same is discriminatory, in that it gives those persons, firms, associations and corporations engaged in the business of refining and selling gasoline an advantage over brokers and commission men in competing for the same kind and class of business; and

Whereas, It is not contemplated that there will be any contest upon a bill introduced to correct the discrimination hereinbefore mentioned and to eliminate the question of the constitutionality of said amendment, hereinbefore mentioned, in the event the Governor should decide to submit the question of amending Article 7065a, R. C. S., 1925, to this Session of the Legislature; and

Whereas, The Comptroller of Public Accounts agrees that some action should be taken to amend the law and to eliminate discrimination; and

Whereas, It is proposed that the body of a bill to eliminate any discrimination should read as follows:

"Section 12. Provided, that any person, firm, association or corporation who or which purchases gasoline for shipment to a destination or destinations without the State of Texas may secure a permit as provided by Article 7065, R. C. S., 1925, and when a copy of such permit, certified

by the Comptroller of Public Accounts to be a true and correct copy of the original, is filed with the seller from whom such gasoline is purchased, together with an affidavit made by the person, firm, association or corporation so purchasing, or by the duly authorized agent of such purchaser, stating in substance that such gasoline will be used solely in shipment or shipments to a destination or destinations without the State of Texas, no tax shall be collected by the seller, but such permittee making such purchase shall keep all records and make all reports and file all bonds as is now required by law for any person, firm, association or corporation who or which has been issued a permit or may hereafter be issued a permit under the provisions of Article 7065c, R. C. S., 1925."

Now, therefore, be it

Resolved, That the Hon. R. S. Sterling, Governor of the State of Texas, be requested to immediately submit to this Session of the Legislature the question of amending Article 7065a, R. C. S., 1925, in order to correct the defects herein mentioned, and that a copy of this resolution be transmitted by the Chief Clerk to His Excellency, R. S. Sterling, Governor of the State of Texas.

TERRELL of Val Verde,
HARRISON of El Paso,
WEST of Cameron,
LEONARD,
JACKSON,
McGILL,
BEDFORD,
ADAMS of Jasper,
RAMSEY,
KELLER.

The resolution was read second time, and was adopted.

MESSAGE FROM THE GOVERNOR.

Mr. Pat Dougherty, Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office.

Austin, Texas, August 3, 1931.

To the Forty-second Legislature:

This session of the Legislature was called in response to many telegrams, letters, petitions, telephone calls and personal appeals, urging that the

Legislature be convened in Special Session to consider the problem of conserving our natural resources. I have heretofore submitted to you these matters in a short, general way. You have wisely devoted a considerable portion of your time to the hearing of facts bearing upon the general subject and I delayed sending you a further message until you had completed those hearings, feeling that every fact bearing on the general subject should be before the Legislature before it undertook to write a law.

At the time this session was convened many cases were pending in the courts attacking the constitutionality of our conservation laws and particularly the validity of the orders of the Railroad Commission which had been made under those laws. Since this session convened a Federal court, composed of Circuit Judge Hutcheson and District Judges Bryant and West, has given us in the case of MacMillan vs. Railroad Commission our first written opinion construing these laws. This was one of the cases involving the validity of our conservation laws and of the orders of the Railroad Commission. Therein the validity of the laws was before the court, and it had the opportunity to pass upon the question as to whether they were constitutional or unconstitutional. At the time the opinion was written, the court, knowing that the Legislature was in session, it may reasonably be assumed that if the court had thought the laws were invalid, would have held so as to give this Legislature an opportunity to eliminate and correct any cause for invalidity. The court having failed to do this, we are justified in assuming that our existing conservation laws are valid. In this case, that court also construed "economic waste" as also meaning and including "market demand," holding that the Legislature in prohibiting the consideration of "economic waste" prevented the commission from considering "market demand" in making its orders.

It appeals to me, in view of this decision of the United States court, that it would be unwise to attempt radical changes in our existing laws. Any attempt at their amendment or modification should retain their general structure and ideas and not inject changes that would invite any new attacks upon them. I think it prudent that these statutes be only

made plainer, so as to further define "physical" waste, if necessary, and supplemented with more adequate and expeditious procedural provisions.

These laws were designed to prevent physical waste only and expressly inhibit the consideration of economic waste. This idea should be cautiously preserved. All price fixing attempts must be avoided.

The court pointed out in this case that the Railroad Commission is not given the power to limit the production of oil to the "market demand." I, of course, gladly accept the decisions because to me it is sound from an economic point of view. Certainly, if our laws permitted the Railroad Commission, or any other body, to prohibit the production of oil in excess of the market demand, it would tend to bring about a condition where the oil interests of this State might create a monopoly in this important part of the people's business. I repeat now what I have often said, namely, that I am opposed to the passage of any law that would have a tendency toward price fixing.

I advocate the creation of a new commission to enforce these laws, together with all laws enacted, for the protection of our natural resources.

(1) In my opinion, this commission should be appointive rather than elective.

(2) A provision that all persons charged with the duty or empowered to enforce existing conservation laws and orders of the commission, passed pursuant thereto, must be no other than the regular employes of the State, and provision should be made to give the commission the necessary funds to employ sufficient men to enforce its orders. The present policy of entrusting the enforcement of the orders of the commission to persons who are paid by the contributions of the operators in the field is unsound and unworkable. And further define, if necessary, "physical" waste so as to strengthen the conservation laws.

(3) To provide for the speedy trial of all law suits that are brought attacking the validity of the orders of the commission entered under the conservation laws.

(4) To strengthen the ratable taking or Common Purchaser Act so as to make it possible and practicable for every one to secure an outlet for his oil.

The oil business is something in which many more people are interested than just the companies and men who are producing and marketing oil. We sell to the outside five times as much oil as we use; and we receive at this time less than one-fifth of the taxes which we ought to collect from this source.

The people of this State must be protected from any tendency toward monopoly in this important part of the public's business, and any law which you might pass, if I could see in it anything tending, or that might result in a monopoly, I would, of course, feel constrained to veto such bill without ceremony. The ultimate and sole end of all legislation upon these subjects by this Legislature should be the conservation of these natural resources.

In this day of combinations of capital and mergers of industries, the anti-trust laws of Texas have become of multiplied importance. Their enforcement must be looked after more scrupulously than at any time before in the history of our State. I compliment any effort of the Attorney General in reference to this question. The House of Representatives is worthy of the congratulations of the people of Texas for passing the \$30,000 appropriation for the Attorney General's Department. I hope that the Senate will pass the bill at their earliest convenience. And I pledge to the Attorney General the full co-operation of the entire Executive Department in relation to all activities pertaining to the enforcement of the anti-trust laws.

I am indeed mindful of the critical situation which confronts the farmer. No man in Texas is more anxious than I to help bring about a situation which will improve their condition, and I, therefore, urge that if, in your judgment, any legislation can be enacted which will tend to solve their problems, or better their condition, that you give your careful thought to the same.

Six million people in Texas are to be considered in the enactment of legislation. No bill should be passed which will shift any burden from those most able to pay to the shoulders of those who are least able to pay.

I recognize the necessity for legislation along lines and upon subjects which have not been submitted by

me. The time is short for you to consider the legislation now before you. I am in hopes that you will make progress, to the end that within a few days I may see my way clear to submit to you other subjects of vital interest.

Respectfully submitted,
R. S. STERLING,
Governor.

MESSAGE FROM THE GOVERNOR.

Mr. Pat Dougherty, Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office.

Austin, Texas, August 3, 1931.

To the Forty-second Legislature:

The revenues of this State have been seriously depleted because of the low price of oil, since our production tax is based on 2 per cent of the value of the oil produced. Unless the Legislature takes some necessary steps, it will result in a very much lower income to the State from this source than in years gone by. I think that you should amend this law to provide that there should be levied a tax of 2 cents per barrel on crude oil, which would bring in the same amount as the present production tax of 2 per cent on oil at \$1 per barrel.

I am attaching hereto a proposed bill which I feel, if enacted, will bring about the desired condition of the finances of this State.

Respectfully submitted,
R. S. STERLING,
Governor.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Satterwhite, Mr. Sanders, and Mr. Terrell of Cherokee:

• H. B. No. 38, A bill to be entitled "An Act to amend Article 7071, Chapter 2, Title 122, of the 1925 Revised Civil Statutes of Texas, relating to an occupation tax on producers of oil, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. DeWolfe, Mr. Metcalfe, Mr. Cox of Lamar, Mr. Boyd, Mr. Lee, Mr. Brice, Mr. Burns of McCulloch, Mr. Coltrin, Mr. Forbes, Mr. Wyatt, Mr. Baker, Mr. Towery, Mr. Gilbert, Mr. Rogers, and Mr. Stephens:

H. B. No. 39, A bill to be entitled "An Act amending Section 1, Subdivision 4, of Chapter 212, House bill No. 251, as passed by the Regular Session of the Forty-second Legislature, so as to provide that hereafter no tax, direct or indirect, shall be imposed on those engaged in selling farm products."

Referred to Committee on Revenue and Taxation.

By Mr. Johnson of Dimmit, Mr. Weinert, Mr. Barron, Mr. Hubbard, Mrs. Hughes, Mr. Jones of Shelby, Mr. Adams of Jasper, Mr. Bond, Mr. Johnson of Morris, Mr. Johnson of Dallam, Mr. Metcalfe, Mr. Hardy, Mr. Dowell, Mr. Scott, Mr. McGill, Mr. West of Coryell, Mr. Smith of Wood, Mr. Ray, Mr. DeWolfe, Mr. Boyd, Mr. Ratliff, Mr. Long, Mr. Young, Mr. West of Cameron, Mr. Justiss, Mr. Bounds, Mr. Kennedy, Mr. Lockhart, and Mr. Baker:

H. B. No. 40, A bill to be entitled "An Act making provisions for the enforcement of tax liens of county and State and cities and towns and districts, and all subdivisions of government with taxing power, where taxes are unpaid and delinquent on real property by eliminating the foreclosure thereof by suits in court, and by providing for notice, advertisement, sales, execution and delivery of deed by collector, effect of deed, defenses, redemption, fees, costs, disposition of pending suits, quieting title, making the same applicable to all existing delinquencies for years 1915 to 1930, inclusive, and thereafter, and making the present statutes requiring foreclosure suits in court applicable only for year 1914 and prior thereto, constituting the Comptroller, Tax Commissioner and Attorney General of Texas as a Tax Board to determine in what instances property adjudicated to the State should be relinquished and not sold; providing a system of transfer of tax liens and foreclosure thereof by transferee, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

**TO URGE PRESIDENT HOOVER
TO CALL EXTRAORDINARY
SESSION OF CONGRESS.**

The Speaker laid before the House, for consideration at this time, House concurrent resolution No. 6, To urge President Hoover to call a special session of Congress, the resolution having heretofore been read second time and referred to the Committee on State Affairs.

That committee having filed an adverse report, with a minority favorable report on the resolution.

Mr. Burns of McCulloch offered the following amendment to the resolution:

Amend House concurrent resolution No. 6 by striking out paragraph No. 4 of said resolution.

Mr. Kennedy moved the previous question on the pending amendment and the resolution, and the main question was ordered.

Question first recurring on the amendment by Mr. Burns of McCulloch, it was lost.

The resolution was then adopted.

**IN COMMITTEE OF THE WHOLE
HOUSE.**

(Mr. Minor in the chair.)

On motion of Mr. Howsley, the House, at 10:15 o'clock a. m., resolved itself into a Committee of the Whole House for the purpose of considering bills relative to oil and gas conservation.

IN THE HOUSE.

(Mr. Minor in the chair.)

At 12 o'clock m., Mr. Minor, Chairman of the Committee of the Whole House, reported to the House that the Committee desired to rise, report progress, and ask leave of the House to sit again at 2 o'clock p. m. today.

The Committee of the Whole House reported the following proceedings:

The Chair laid House bill No. 25 before the Committee for consideration by the Committee.

(Mr. Young in the chair.)

Mr. Greathouse offered the following amendment to the bill:

Amend House bill No. 25 by adding to and at the end of Section 5 the following paragraph:

"Any person, firm or corporation, pipe line carrier or other purchaser as

carrier of crude oil who shall receive or purchase or take into its or their possession any oil produced in violation of the provisions of this act shall be liable in damages to any person, firm or corporation injured by such unlawful taking in double the amount of actual damages sustained or accruing thereby."

The amendment was adopted.

Mr. Beck offered the following amendment to the bill:

Amend Section 2, page 2, line 15, from top of page as follows, of House bill No. 25 as mimeographed:

Insert immediately after the word "hazards" the following in paragraph (g), the remaining paragraphs to be re-lettered accordingly:

"Waste incident to or resulting from the production of crude petroleum oil or natural gas in excess of the reasonable market demand for such oil or natural gas in excess of the reasonable market demand for such commodities for current consumption or use within or outside of the State of Texas, plus such amounts as are necessary for building up or maintaining reasonable storage reserves."

(Mr. Minor in the chair.)

Mr. Ratliff moved the previous question on the pending amendment, and the main question was ordered.

Mr. Greathouse moved to reconsider the vote by which the previous question was ordered on the amendment by Mr. Beck.

Yeas and nays were demanded, and the motion to reconsider prevailed by the following vote:

Yeas—69.

Adams of Harris.	Farrar.
Adams of Jasper.	Forbes.
Adamson.	Ford.
Akin.	Fuchs.
Albritton.	Gilbert.
Anderson.	Graves.
Beck.	Greathouse.
Burns	Hanson.
of McCulloch.	Hardy.
Carpenter.	Harman.
Coltrin.	Harrison
Cox of Lamar.	of El Paso.
Cox of Limestone.	Hatchitt.
Davis.	Hill.
Dodd.	Hines.
Donnell.	Holder.
Elliott.	Hoskins.
Farmer.	Howsley.

Hughes.	Richardson.
Jackson.	Rogers.
Johnson of Morris.	Rountree.
Jones of Shelby.	Satterwhite.
Laird.	Scott.
Leonard.	Sherrill.
Long.	Smith of Bastrop.
McCombs.	Smith of Wood.
McGill.	Sparkman.
McGregor.	Stevenson.
Magee.	Steward.
Moffett.	Terrell
Morse.	of Val Verde.
Munson.	Towery.
Murphy.	Veatch.
Nicholson.	Wagstaff.
Ramsey.	West of Coryell.
Ray.	Young.

Nays—41.

Adkins.	Johnson
Alsup.	of Dimmit.
Baker.	Jones of Atascosa.
Barron.	Kennedy.
Bedford.	Lasseter.
Bounds.	Lemens.
Boyd.	Lilley.
Brice.	Lockhart.
Bryant.	McDougald.
Burns of Walker.	Mathis.
Caven.	Petsch.
Dale.	Ratliff.
Daniel.	Sanders.
DeWolfe.	Shelton.
Dowell.	Sullivant.
Fisher.	Tarwater.
Goodman.	Turner.
Herzik.	Van Zandt.
Holland.	Walker.
Holloway.	Weinert.
Hubbard.	West of Cameron.

Absent.

Bond.	Lee.
Claunch.	Martin.
Duvall.	Metcalf.
Engelhard.	Olsen.
Ferguson.	O'Quinn.
Finn.	Patterson.
Giles.	Pope.
Grogan.	Reader.
Harrison	Savage.
of Waller.	Stephens.
Hefley.	Strong.
Johnson	Terrell
of Dallam.	of Cherokee.
Justiss.	Westbrook.
Kayton.	Wiggs.
Keller.	Wyatt.

Absent—Excused.

Bradley.	Dwyer.
Brooks.	Mehl.
Coombes.	Moore.
Cunningham.	Vaughan.
Dunlap.	Warwick.

Question then recurring on the motion for the previous question, it was lost by the following vote:

Yeas—42.

Adkins.	Johnson of Dimmit.
Alsup.	Kennedy.
Baker.	Lasseter.
Barron.	Lemens.
Bedford.	Lilley.
Boyd.	Lockhart.
Brice.	McDougald.
Bryant.	Mathis.
Burns of Walker.	Petsch.
Caven.	Ramsey.
Dale.	Ratliff.
Daniel.	Reader.
DeWolfe.	Richardson.
Farrar.	Sanders.
Fisher.	Sullivant.
Goodman.	Tarwater.
Herzik.	Van Zandt.
Holland.	Walker.
Hubbard.	Weinert.
Jones of Shelby.	West of Coryell.
Jones of Atascosa.	West of Cameron.

Nays—68.

Adams of Harris.	Hughes.
Adams of Jasper.	Jackson.
Adamson.	Johnson of Morris.
Akin.	Keller.
Anderson.	Laird.
Beck.	Leonard.
Bounds.	Long.
Burns	McCombs.
of McCulloch.	McGill.
Carpenter.	Magee.
Cox of Lamar.	Metcalf.
Cox of Limestone.	Moffett.
Davis.	Morse.
Dodd.	Murphy.
Donnell.	Nicholson.
Dowell.	Ray.
Elliott.	Rogers.
Farmer.	Rountree.
Forbes.	Satterwhite.
Ford.	Savage.
Fuchs.	Scott.
Gilbert.	Shelton.
Graves.	Sherrill.
Greathouse.	Smith of Bastrop.
Hanson.	Smith of Wood.
Hardy.	Sparkman.
Harman.	Stevenson.
Harrison	Steward.
of El Paso.	Terrell
Hatchitt.	of Val Verde.
Hill.	Towery.
Hines.	Turner.
Holder.	Veatch.
Holloway.	Wagstaff.
Hoskins.	Young.
Howsley.	

Absent.

Albritton.	Kayton.
Bond.	Lee.
Claunch.	McGregor.
Coltrin.	Martin.
Duvall.	Munson.
Englehard.	Olsen.
Ferguson.	O'Quinn.
Finn.	Patterson.
Giles.	Pope.
Grogan.	Stephens.
Harrison	Strong.
of Waller.	Terrell
Hefley.	of Cherokee.
Johnson	Westbrook.
of Dallam.	Wiggs.
Justiss.	Wyatt.

Absent—Excused.

Bradley.	Dwyer.
Brooks.	Mehl.
Coombes.	Moore.
Cunningham.	Vaughan.
Dunlap.	Warwick.

(Signed) FRED H. MINOR,
Chairman of the Committee of
the Whole House.

RECESS.

On motion of Mr. DeWolfe, the
House, at 12 o'clock m., took recess
to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m.,
and was called to order by the
Speaker.

IN COMMITTEE OF THE WHOLE
HOUSE.

(Mr. Minor in the chair.)

On motion of Mr. Wagstaff, the
House, at 2 o'clock p. m., resolved it-
self into a Committee of the Whole
House for the purpose of considering
bills relative to oil and gas conserva-
tion.

IN THE HOUSE.

(Mr. Minor in the chair.)

At 5 o'clock p. m., Mr. Minor, Chair-
man of the Committee of the Whole
House, reported to the House that
the Committee desired to rise, report
progress, and ask leave of the House
to sit again at the pleasure of the
House.

The Committee of the Whole House
reported the following proceedings:

The Committee of the Whole House
resumed consideration of House bill
No. 25.

The Committee having under con-
sideration an amendment by Mr. Beck.

Mr. Morse moved the previous ques-
tion on the pending amendment, and
the main question was ordered.

Question recurring on the amend-
ment by Mr. Beck, yeas and nays
were demanded.

The amendment was lost by the
following vote:

Yeas—28.

Adams of Harris.	Hughes.
Adams of Jasper.	Kayton.
Albritton.	Long.
Beck.	McCombs.
Carpenter.	McDougald.
Coltrin.	Moffett.
Cox of Limestone.	Morse.
Dale.	Nicholson.
Forbes.	O'Quinn.
Greathouse.	Richardson.
Hatchitt.	Shelton.
Hill.	Steward.
Holder.	Walker.
Howsley.	Weinert.

Nays—91.

Adamson.	Harrison
Adkins.	of Waller.
Akin.	Hefley.
Alsup.	Herzik.
Anderson.	Hines.
Baker.	Holland.
Barron.	Holloway.
Bedford.	Hoskins.
Bond.	Hubbard.
Bounds.	Johnson
Boyd.	of Dallam.
Brice.	Johnson
Bryant.	of Dimmit.
Burns of Walker.	Johnson of Morris.
Caven.	Jones of Shelby.
Claunch.	Jones of Atascosa.
Cox of Lamar.	Justiss.
Daniel.	Keller.
DeWolfe.	Kennedy.
Dodd.	Laird.
Donnell.	Lasseter.
Dowell.	Lemens.
Elliott.	Leonard.
Farmer.	Lilley.
Farrar.	Lockhart.
Fisher.	McGill.
Ford.	McGregor.
Gilbert.	Magee.
Giles.	Mathis.
Goodman.	Metcalfe.
Graves.	Munson.
Hanson.	Murphy.
Hardy.	Petsch.
Harman.	Ramsey.

Ratliff.	Strong.
Ray.	Sullivant.
Rogers.	Tarwater.
Rountree.	Terrell
Sanders.	of Cherokee.
Satterwhite.	Terrell
Savage.	of Val Verde.
Scott.	Towery.
Sherrill.	Turner.
Smith of Bastrop.	Van Zandt.
Smith of Wood.	Veatch.
Sparkman.	Wagstaff.
Stephens.	West of Cameron.
Stevenson.	Young.

Absent.

Burns	Jackson.
of McCulloch.	Lee.
Davis.	Martin.
Duvall.	Olsen.
Dwyer.	Patterson.
Englehard.	Pope.
Ferguson.	Reader.
Finn.	West of Coryell.
Fuchs.	Westbrook.
Grogan.	Wiggs.
Harrison	Wyatt.
of El Paso.	

Absent—Excused.

Bradley.	Mehl.
Brooks.	Moore.
Coombes.	Vaughan.
Cunningham.	Warwick.
Dunlap.	

Mr. Gilbert offered the following amendment to the bill:

Amend House bill No. 25 by striking out in lines 28 and 29, page 1, all after the word "waste," in line 28.

Mr. Petsch moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—80.

Adams of Harris.	Daniel.
Adams.	DeWolfe.
Adkins.	Dowell.
Akin.	Elliott.
Albritton.	Farmer.
Alsup.	Fisher.
Anderson.	Ford.
Baker.	Goodman.
Barron.	Hanson.
Bedford.	Hardy.
Boyd.	Harman.
Brice.	Harrison
Bryant.	of Waller.
Burns of Walker.	Hines.
Caven.	Holder.
Claunch.	Hoskins.
Cox of Limestone.	Hubbard.

Jackson.	Richardson.
Johnson	Rogers.
of Dimmit.	Rountree.
Jones of Atascosa.	Sanders.
Keller.	Savage.
Kennedy.	Scott.
Laird.	Shelton.
Lemens.	Sherrill.
Leonard.	Smith of Bastrop.
Lilley.	Smith of Wood.
Lockhart.	Sparkman.
McCombs.	Stephens.
McGill.	Stevenson.
McGregor.	Steward.
Magee.	Tarwater.
Mathis.	Terrell
Metcalfe.	of Cherokee.
Moffett.	Van Zandt.
Morse.	Veatch.
Munson.	Wagstaff.
Murphy.	Walker.
Petsch.	West of Coryell.
Ratliff.	West of Cameron.
Ray.	Young.
Reader.	

Nays—29.

Adams of Jasper.	Johnson of Dallam.
Beck.	Kayton.
Bounds.	Long.
Carpenter.	McDougald.
Coltrin.	Nicholson.
Dodd.	O'Quinn.
Finn.	Satterwhite.
Forbes.	Sullivant.
Gilbert.	Terrell
Graves.	of Val Verde.
Greathouse.	Towery.
Herzik.	Turner.
Holloway.	Wainer.
Howsley.	Wiggs.
Hughes.	Wyatt.

Present—Not Voting.

Warwick.

Absent.

Bond.	Hatchitt.
Burns	Hefley.
of McCulloch.	Hill.
Cox of Lamar.	Holland.
Dale.	Johnson of Morris.
Davis.	Jones of Shelby.
Donnell.	Justiss.
Duvall.	Lasseter.
Dwyer.	Lee.
Englehard.	Martin.
Farrar.	Olsen.
Ferguson.	Patterson.
Fuchs.	Pope.
Giles.	Ramsey.
Grogan.	Strong.
Harrison	Westbrook.
of El Paso.	

Absent—Excused.

Bradley.	Dunlap.
Brooks.	Mehl.
Coombes.	Moore.
Cunningham.	Vaughan.

Mr. Petsch offered the following amendment to the bill:

Amend House bill No. 25, page 1, Section 1, by inserting after the word "conditions," in line 19, the following: "as hereinafter defined."

The amendment was adopted.

Signed—Fred H. Minor, Chairman of the Committee of the Whole House.

RECESS.

On motion of Mr. Satterwhite, the House, at 5:15 o'clock p. m., took recess to 9 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills as follows:

Conservation and Reclamation: S. B. No. 20.

Game and Fisheries: H. B. Nos. 32, 33, and 37.

The Committee on State Affairs filed an adverse report with a minority favorable report on H. C. R. No. 6.

ELEVENTH DAY.

(Continued.)

(Tuesday, August 4, 1931.)

The House met at 9 o'clock a. m., and was called to order by Speaker Minor.

HOUSE BILL NO. 8 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 8, A bill to be entitled "An Act to conserve water supplies and prevent soil contamination; prescribing a penalty, and declaring an emergency."

The bill was read third time.

Mr. Davis moved the previous question on the passage of the bill, and the main question was ordered.

House bill No. 8 then failed to pass by the following vote:

Yeas—49.

Bounds.	Leonard.
Brooks.	Lilley.
Carpenter.	Lockhart.
Caven.	McCombs.
Coltrin.	McDougald.
Cox of Limestone.	McGill.
Dodd.	Mehl.
Duvall.	Moffett.
Forbes.	Morse.
Gilbert.	Munson.
Giles.	Nicholson.
Harrison	Olsen.
of Waller.	Petsch.
Hatchitt.	Ratliff.
Herzik.	Ray.
Hill.	Reader.
Hines.	Richardson.
Holder.	Rountree.
Holland.	Savage.
Howsley.	Sullivant.
Hughes.	Terrell
Jackson.	of Val Verde.
Johnson	Wagstaff.
of Dimmit.	Warwick.
Keller.	Weinert.
Lemens.	West of Cameron.

Nays—62.

Adams of Jasper.	Hefley.
Adamson.	Holloway.
Adkins.	Hoskins.
Akin.	Hubbard.
Albritton.	Johnson of Morris.
Alsup.	Jones of Shelby.
Anderson.	Jones of Atascosa.
Bedford.	Justiss.
Boyd.	Kayton.
Brice.	Kennedy.
Bryant.	Laird.
Burns of Walker.	Lasseter.
Burns	Long.
of McCulloch.	McGregor.
Claunch.	Metcalfe.
Cox of Lamar.	Murphy.
Daniel.	Rogers.
Davis.	Satterwhite.
DeWolfe.	Sherrill.
Donnell.	Smith of Wood.
Elliott.	Sparkman.
Farmer.	Stephens.
Farrar.	Strong.
Ferguson.	Terrell
Finn.	of Cherokee.
Fisher.	Towery.
Goodman.	Turner.
Graves.	Van Zandt.
Hanson.	Veatch.
Hardy.	Walker.
Harman.	West of Coryell.
Harrison	Wyatt.
of El Paso.	

Present—Not Voting.

Wiggs.